IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

COMPANY PETITION NO. 252 OF 1988

Shilpa Textiles. ... Petitioners.

V/s.

M/s. Modern Mills Ltd. ... Respondents.

....

None for the Petitioners.
Mr. H.S. Doctor i/b. Kanga & Co. for the Respondent.

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CORAM : DR. D.Y.CHANDRACHUD,J.

26th April 2007.

P.C. :

. The Company Petition was not maintainable since prior to the filing of the Company Petition a reference had been registered before the B.I.F.R. on 21st September 1987 under the Sick Industrial Companies (Special Provisions) Act, 1985. The Company Petition was instituted on 21st February 1988. In view of the provisions of Section 22, the Company Petition shall have to be dismissed and is accordingly dismissed, since no proceedings could be lie once an enquiry had been commenced under the Act. The Company Petition is accordingly dismissed.